

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-05 NSAE-00 RSC-01 FAA-00 L-02 SS-15 NSC-05

SSO-00 NSCE-00 INRE-00 PA-01 PRS-01 USIE-00 /052 W

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FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC IMMEDIATE 4767

LIMITED OFFICIAL USE THE HAGUE 5496

E.O. 11652: N/A

TAGS: EAIR, NL

SUBJECT: CIVAIR: CAB ORDER RE KLM SCHEDULES

REF: STATE 257681

1. DCM INFORMED MINISTER WESTERTERP MORNING NOVEMBER 22 ALONG LINES OUTLINED REFTEL. WESTERTERP SAID HE APPRECIATED CONFIRMATION THAT CAB ACTION WAS PROCEDURAL AND DID NOT IMPOSE UNILATERAL RESTRICTION ON KLM'S OPERATIONS TO US. HE ADDED THAT HE WOULD ADVISE KLM ACCORDINGLY. HE INDICATED THAT HE SAW NO REASON AS OF NOW TO ACTIVATE A GON REQUEST FOR ARBITRATION.

2. DUTCH PRESS NOVEMBER 22 AND UPI ITEM DATELINED THE HAGUE NOVEMBER 21 IN FRIDAY'S HERALD TRIBUNE SPECULATED THAT KLM WOULD REFUSE TO FILE REQUESTED SCHEDULES. HOWEVER, FACTS AS CONFIRMED TO ECON COUNSELOR BY KLM AND MINISTRY OF TRANSPORT OFFICIALS ARE:

(A) KLM HAS ONLY ISSUED STATEMENT THAT CAB HAS REQUESTED SCHEDULES BE FILED AND THAT BILATERAL AGREEMENT DOES NOT OBLIGATE KLM TO FILE;

(B) OFFICIALS OF KLM HAVE CONSULTED WITH GON AND
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GILL MEET AGAIN NOVEMBER 25 TO CONTINUE DISCUSSIONS AS TO WHETHER KLM SHOULD FILE SCHEDULES AS REQUESTED.

THERE ARE INDICATIONS THAT KLM IS SEEKING LEGAL ADVICE
AS TO WHETHER FILING OF SCHEDULES MIGHT BE INTERPRETED
AS ACQUIESCENCE IN CAB ACTION AND POSSIBLE WEAKENING
OF KLM'S LEGAL POSITION.

3. COMMENT: DCM SUGGESTED TO WESTERTERP, ON A PERSONAL
BASIS, THAT IT WOULD BE BEST FOR KLM TO COMPLY WITH CAB'S
REQUEST, AND THAT CONVERSELY, REFUSAL TO SUBMIT
SCHEDULES COULD HAVE HARMFUL EFFECT. WESTERTERP AGREED
AND CONFIDED THAT HE HAD ENCOURAGED KLM TO COMPLY WITH
THIS PROCEDURAL REQUEST.
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Message Attributes

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